IN RE: PETITION FOR ADMIN. VARIANCE

N/S Forge Acre Drive, 90 ft. NE Of the c/l of the landscape circle 4718 Forge Acre Drive 11th Election District 5th Councilmanic District Thomas Edward Krasnodemski, et ux Petitioners

- * BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * CASE NO. 99-268-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Thomas Edward Krasnodemski and Margie Krasnodemski, his wife, property owners, for that property known as 4718 Forge Acre Drive in the Perry Hall Farms subdivision of Baltimore County. The Petitioners herein seek a variance from Section 504 of the Baltimore County Zoning Regulations (BCZR) and V.B.6.b of the Comprehensive Manual of Development Policies to allow a window to side yard setback of 5 ft., in lieu of the minimum required 15 ft., in a D.R.5.5 zone. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition. for Variance.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the BCZR, and for the reasons given above, the requested variance should be granted.



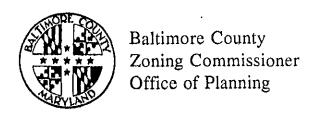
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County, this Zoning and Variance from Section 504 of the Baltimore County Zoning Regulations (BCZR), and V.B.6.b of the Comprehensive Manual of Development Policies, to allow a window to side yard setback of 5 ft., in lieu of the minimum required 15 ft., in a D.R.5.5 zone, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

LES:mmn





Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

February 23, 1999

Mr. and Mrs. Thomas E. Krasnodemski 4718 Forge Acre Drive Perry Hall, Maryland 21128

> RE: Petition for Variance Case No. 99-268-A

Property: 4718 Forge Acre Drive

Dear Mr. and Mrs. Krasnodemski:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an Appeal, please feel free to contact our Appeals Clerk at AC-410-887-3391.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn Encl.



REU 9/15/98

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

	o the Boning	Commissioner of Buttimore County
RYLACI	for the proper	ty located at 4718 Forge Acre Drive
		which is presently zoned 77 R-5.5
This Petition shall be filed with the owner(s) of the property situate in Balt made a part hereof, hereby petition for allow a window to min in um reaviréo	Department of Permitimore County and what a Variance from Section Sect	nits and Development Management. The undersigned, legal ich is described in the description and plat attached hereto and tion(s) 504 (VB.6.6.) (MDP) +2
of the zoning regulations of Baltimore of this petition form.	County, to the zoning	law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertise I, or we, agree to pay expenses of above regulations and restrictions of Baltimore C	Variance, advertising, po	osting, etc. and further agree to and are to be bounded by the zoning
		I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:		Legal Owner(s):
Name - Type or Print		Thomas Edward Krasnodemski Name - Type or Print Thomas Edward Krasuckenski
Signature		Signature Margie, Kirschner-Krasnodemski
Address	Telephone No.	Name - Type or Print Margu Huschus Knasurolemski
City State	Zip Code	Signature Signature
Attorney For Petitioner:		Address 4718 Forge Acre Drive (410)529-0399 Telephone No.
Name - Type or Print		City Perry Hall, Maryland za 1128
Signature	,	Representative to be Contacted: Margie Kirschner-Krasnodemski
Company	And the state of t	Name
Address	Telephone No.	Address 4718 Forge Acre Drive (410)529-0399 Address Telephone No.
City State	Zip Code	City Perry Hall Maryland 1128 Zip Code
A Public Hearing having been formally denthis day of regulations of Baltimore County and that the property of	that the subject matter of	be required, it is ordered by the Zoning Commissioner of Baltimore County, if this petition be set for a public hearing, advertised, as required by the zoning
		Zoning Commissioner of Baltimore County
CASE NO. $99 - 268$	Re	eviewed By Date
REV 9115198	Es	itimated Posting Date

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

____4718 Forge Acre Drive

That the Affiant(s) does/do presently reside at

	Address		
	City	Perry Hall, Marte -21128 -	Zip Code
That based upon personal knowledge, the following variance at the above address (indicate hards	llowing are the ship or practica	facts upon which I/we base the request f I difficulty):	or an Administrative
Most of other houses are on regular prohibited our builder from putting plan shows they should be. All of t windows in the dining room. I feel 2. Our property is peculiar because property. The nearest house is over to the rear side houses. I feel that b put the windows are that there is or privacy issue. 3. The light is not adequate for the house is dark and there is not enoug floor plan calls for the two windows.	two windows the other house that this development of the house of the two house there is a private of the house there is to be in the work opening the	ouses that are built along the side of our and there is only a private driveway the are notioner houses close to where we driveway between us, this does not cause ouse without the dining room windows rooms, a foyer, and a hallway. The origining room probably due to the lack owindows. However, there is only one	This floor has the related teads want to se a flight. double
Momas Kasnodinski	-		j annovemski
Thomas Krasnodemski Name - Type or Print		Margie Kirschner-Krasnodemski Name - Type or Print	
STATE OF MARYLAND, COUNTY OF BALT I HEREBY CERTIFY, this	manu	1999 , before me, a Notan	Public of the State
the Affiant(s) herein, personally known or satilaw that the matters and facts hereinabove set	isfactorily iden	wrate Kieschmere - Crost iffied(to me as such Affiant(s), and made and correct to the best of his/her/their know	modemala oath in due form of viedge and belief.
AS WITNESS my hand and Notarial Seal Cate/	Not Mv	Balt Julie F. Commission Expires 12/01/01	o-Co. Toravente
REV 09115198	,		

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	4718 Forge Acre Drive				
	Address	Perry Hall,	MD	_21128	
	City		State		Zip Code
That based upon personal knowledge, the folio Variance at the above address (indicate hardshi	wing are the fac p or practical dif	ts upon which ficulty):	I/we base	e the request f	or an Administrative
1. Our property is unusual due to the Most of other houses are on regular seprohibited our builder from putting two plan shows they should be. All of the windows in the dining room. I feel the 2. Our property is peculiar because of property. The nearest house is over 6 to the rear side houses. I feel that because the windows and that there is only privacy issue. 3. The light is not adequate for the fraction house is dark and there is not enough floor plan calls for the two windows the save on energy costs by containing the state of the save of the sav	quare lots with yo windows in to other houses to nat this de-value of the two houses of feet away and cause there are y a private driver ont of the house light for 2 roots to be in the din opening the windows	houses built the dining ro hat are the sa es our house. es that are bu d there is onl no other hou eway betwee se without the ms, a foyer, a ing room pro- ndows. Howe	on either om where the floor ilt along y a private ses close n us, this e dining rend a hall-bably due ever, there	the side of them the the original plan as ours the side of out the driveway the to where we does not cause oom windows way. The original to the lack of the to the lack of the side only one	This floor has the r nat leads want to se a s. The ginal of light. double
window that can be opened for the en That the Affiant(s) acknowledge(s) that if a fo advertising fee and may be required to provide a Signature	rmal demand is additional informa				,
Signature / AMAMURECUSTUR		Signature /	a fyrrii	icanui-17	ramodeniski
Thomas Krasnodemski		Margie Kirso	chner-Kra		
Name - Type or Print		Name - Type or	Print		
STATE OF MARYLAND, COUNTY OF BALTIN				ه پیپل هنده سب خبه نسب هند هند د	
of Maryland, in and for the County aforesald, per	MWWW sonally appeare	d , 199			Public of the State
the Affiant(s) herein, personally known or satisf law that the matters and facts hereinabove set for	actorily identified orth are true and	to the as succorrect to the	Ch Affiant best of his	s), and made s/her/their know	COMO Jemsk oath in due form of vledge and belief.
AS WITNESS my hand and Notarial Seal	2	Mu		Balto uli Fior	.Co. avante
Date / /	Notary My Cor	Public ninission Expir	res_12,	101/01	



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

THE PLANT					
	:	for the property	located at#	718 Forge	
			which is p	<i>218 Forge</i> presently zoned	DR-5.5
This Petition shall be file owner(s) of the property si made a part hereof, hereby a window to heavired 15 a	ed with the Dep	artment of Permi	s and Developme	e nt Management , Th	e undersigned, legal
a window to	Side yan	d Setbac	of 5 pt,	in hear	the minimi
nequired 15%	A,				
of the zoning regulations o of this petition form.	if Baltimore Cour	nty, to the zoning la	w of Baltimore Co	unty, for the reasons i	ndicated on the back
Property is to be posted ar I, or we, agree to pay expens regulations and restrictions o	es of above Varia	nce, advertising, pos	ting, etc. and further	agree to and are to be l Baltimore County.	bounded by the zoning
			f/We do solemni perjury, that I/we is the subject of	y declare and affirm, und a are the legal owner(s) of this Petition.	der the penalties of of the property which
Contract Purchaser/Le	ssee:		<u>Legal Owner</u>		
Name - Type or Print			Name - Type or Pr	1 1/	1
Signature			Cianaturo	gie Kirschner-Krasn	odemski
Address		Telephone No.	Name - Type or Pr	int 11- Herschner-K	anademski
City	State	Zip Code	Šighature (- + J	
Attorney For Petitione	r:		4718 Address	Forge Acre Drive	(4%)529-0399: Telephone No.
Name - Type or Print			City Perr	y Hall, Mary	and 21128 Zip Code
0:			<u>Representat</u>	<u>ive to be Contacted</u>	<u>1:</u>
Signature			Mat	gie Kirschner-Krasn	odemski
Company			Name	Force Acre Drive	(410)529-0
Address		Telephone No.	Address		Telephone No.
City	State	Zip Code	City Perç	y Hall Maryland State	211.28 Zip Code
A Public Hearing having been this day of regulations of Baltimore County a	that	the subject matter of the	required, it is ordered is petition be set for a	d by the Zoning Commission by the Zoning Commission by the Police Hearing, advertised, a	ner of Baltimore County, as required by the zoning
			Zoning	Commissioner of Baltimore	County
CASE NO. <u>99-</u>	268-4	Rev	ewed By	Date /	-19-29
REV 9115198		Est	mated Posting Do	ite	99

Zoning Description For 4718 Forge Acre Drive

Beginning at a point on the north side of Forge Acre Drive which is 30 feet wide at the distance of 90 feet north east of the centerline of the nearest improved intersecting street Forge Acre Drive and the landscape circle which is 50 feet wide. Being Lot #86, Block--, Section #2 in the subdivision of Perry Hall Farms as recorded in Baltimore County Plat Book #69, Folio # 59, containing 9533 square feet. Also known as 4718 Forge Acre Drive and located in the 11th Election District, 5th Councilmanic District

268

BALTIMORE COUNTY, MARYL DOFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	- PAID RECEIFT DROCESS OCTUBE USE 1/10/1999 1/19/1999 (19:46:46:
DATE $1.19-99$ ACCOUNT $2.20/-6/50$ AMOUNT \$ 50,00	REL MOOA COMMER MAEL MAIL DRINGE 5 MISCELLANGUS CASH PECETE RELIGIO # POSTAS OFFICE CR MO. 062347 50.00 CHELK: FIL
RECEIVED Margie Krashodemski	一
:- <u>engrino opit</u>	9.268 A CASHIER'S VALIDATION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	VASIBLE O VALIDATION

1.7

CERTIFICATE OF POSTING

RE: CASE # 99-268-A
PETITIONER/DEVELOPER:
(Thomas Krasnodemski)
DATE OF CLOSING
(Feb. 16 1999)

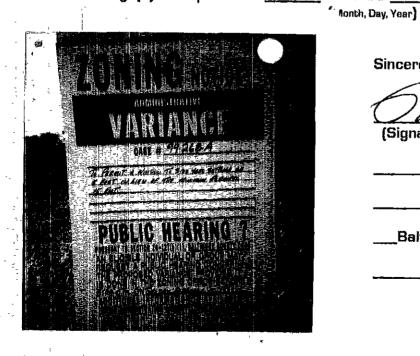
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Ave. Towson, Maryland 21204

ATTENTION: MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 4718 Forge Acre Drive Baltimore, Maryland 21128______

The sign(s) were posted on_____ 1-29-99____



Sincerely,
(Signature of Sign Poster & Date)
Thomas P. Ogle, Sr
325 Nicholson Road
Baltimore, Maryland 21221
(410)-687-8405 (Telephone Number)

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 99- 268 -A Address 4718 Forge Acre DE				
Contact Person: John Sollivan Phone Number: 410-887-3391 Planner, Please Print Your Name				
iling Date: 1-19-99 Posting Date: 1-31-99 Closing Date: 2-15-9				
any contact made with this office regarding the status of the administrative variance should be arough the contact person (planner) using the case number.				
POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.				
DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.				
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.				
POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.				
(Detach Along Dotted Line)				
etitioner: This Part of the Form is for the Sign Poster Only				
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT				
ase Number 99- 268 -A Address 4718 Forge Acre DR				
etitioner's Name Thomas E. KrasnodemsKi Telephone 529-0399				
osting Date:				
Vording for Sign: To Permit a window to side yand setback of 5th in				
lier of the minimum required is fit.				



Baltimore County Department of Permits and Development Management

Development Processing
County Office Building
111 West Chesapeake Avanta
Towson, Maryland 2020

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

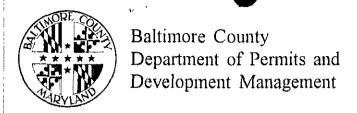
This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER

	' 1			£27, 7v. 1.
	ARNOLD	JABLON,	DIRECTOR	i de i de i de
	,			
For newspaper advertising:	•			ر م
Item No.: 99-268-7			:	And Andrew R
Petitioner: Margie + Thomas Krasnoden	nski		· · · · · · · · · · · · · · · · · · ·	بر (م) ا انج
Location:				
PLEASE FORWARD ADVERTISING BILL TO:			•	
NAME: Margie Krasnodemski			,	
ADDRESS: 4718 Forge Acre Drive	,			- (
Perry Hall Maryland :	86110		,	
PHONE NUMBER: (410) 529-0399	;	· , ,		,
	Turk Cartes	95° - 3	, ` · ·	; (-h
AJ:ggs	· .	,	•	

(Revised 09/24/96



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

February 16, 1999

Mr. & Mrs. Thomas Krasnodemski 4718 Forge Acre Drive Perry Hall, MD 21128

RE: Item No.: 268

Case No.: 99-268-A

Location: 4718 Forge Acre Drive

Dear Mr. & Mrs. Krasnodemski:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on January 19, 1999.

The Zoning Advisory Committee (ZAC). which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

Zoning Supervisor Zoning Review

WCR:ggs

Enclosures

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Permits and Development Management

DATE: 4.8-99

FROM:

R. Bruce Seeley, Project Manager RAM

Development Coordination

DEPRM

SUBJECT:

Zoning Advisory Committee

Distribution Meeting Date: 2/1/99

The Department of Environmental Protection and Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

270 271

272

273

274

275

27/0



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

January 28, 1999

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP 1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF February 1, 1999

Item No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

(268) 269, 270, 271, 272, 273, 274, 275, 276, and 277

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

Date: 1.26.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 268

115

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

P. J. Gradh

fu

Michael M. Lenhart, Acting Chief Engineering Access Permits Division BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: February 10, 1999

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor Bureau of Developer's Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for February 8, 1999

Item Nos. 268) 269, 274, 276, and 277

The Bureau of Developer's Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: February 2, 1999

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

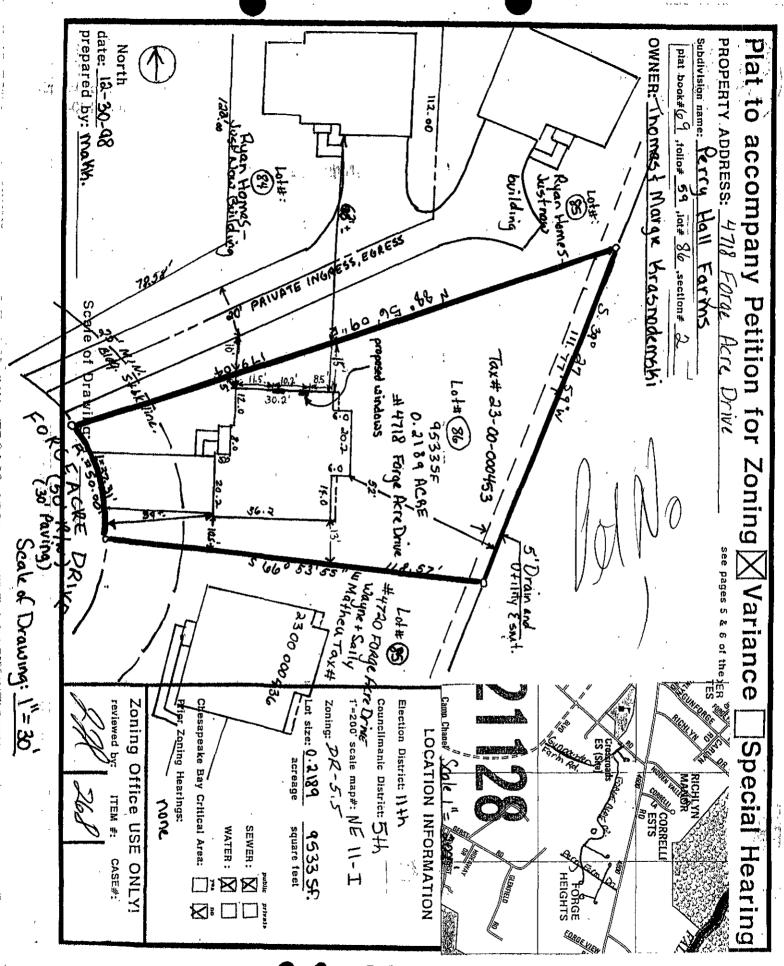
The Office of Planning has no comment on the following petition (s): Item No (s): 262, 265, 269, 274, and 276

Jeffrey W Long

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

AFK/JL



99-268-A

Ag. 268 A

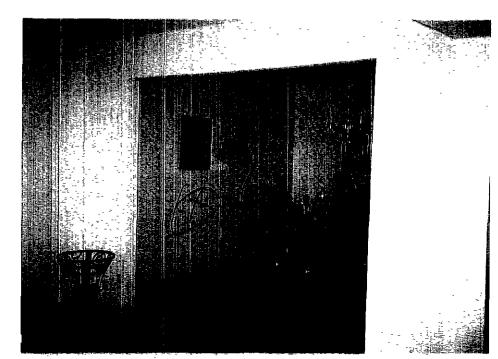


X- Proposed

99-268 A







99-268-A

4718 FOUGE ACKEDINE

